

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

LISSA CANAVAN :
Plaintiff : Civil Action No. 10-954(FSH)
v. :
STEPHEN HARBECK, et al. : ORDER ON INFORMAL
Defendant : APPLICATION
:

This matter having come before the Court by way of letters dated March 16, 2010 and March 18 , 2010, regarding the private defendants' request for leave to file a motion to transfer; and the Court having conducted a telephone conference on the record on March 18, 2010; and the Court having considered the submissions and the positions of the parties; and for the reasons discussed on the record;

IT IS ON THIS 18th day of March, 2010

ORDERED that, no later than **April 6, 2010**, the plaintiff and the federal defendants shall advise the Court whether or not the plaintiff will be proceeding at this time against the federal defendants or the United States (if it is substituted for them). If the plaintiffs intend to proceed with their claims against the federal defendants/United States, then they shall request a telephone conference to address motions that the federal defendant/United States may seek to file;

IT IS FURTHER ORDERED that if the claims against the federal defendants/United States are dismissed, then no sooner than **five days** after such notice and no later than **April 23, 2010**, the private defendants may file a motion to transfer or change venue and the brief in support thereof shall be no longer than 25 pages. The opposition shall be filed in accordance

with the schedule for opposition papers under the Local Rules but, because this is a nondispositive motion, no automatic extension under L. Civ. R. 7.1 may be sought. The opposition brief shall be no longer than 25 pages and the reply brief shall be no longer than 15 pages. Nothing herein constitutes a ruling concerning the merits of the motion.; and

IT IS FURTHER ORDERED that the filing of motions shall not operate to stay the proceedings in this case.

s/Patty Shwartz
UNITED STATES MAGISTRATE JUDGE